

NORTH SALT LAKE CITY  
CITY COUNCIL MEETING – WORK SESSION  
MARCH 1, 2011

Mayor Arave called the meeting to order at 6:10 p.m.

PRESENT: Mayor Len Arave  
Council Member Brian Horrocks  
Council Member Conrad Jacobson  
Council Member Matt Jensen  
Council Member Stan Porter

EXCUSED: Council Member Stewart Harman

STAFF PRESENT: Barry Edwards, City Manager; Brian Passey, Assistant City Manager and Finance Director; Ken Leetham, Economic Development Director; Paul Ottoson, City Engineer; Dave Church, City Attorney; LaRae Dillingham, City Recorder; Linda Horrocks, Minutes Secretary.

OTHERS PRESENT: Chief Jim Rampton, South Davis Metro Fire Agency; Marty Peterson, Emergency Preparedness Manager.

1. ECONOMIC DEVELOPMENT REPORT – KEN LEETHAM

Ken Leetham distributed an economic development update including the general plan update project. He stated that this project includes forming a steering committee to assist the consultant at key points to provide focus, direction, issue identification, potential goals and policies, and general guidance. The first committee meeting is scheduled for March 9<sup>th</sup> at 4:30 p.m. They have invited representatives from large businesses within the City as well as representatives from the City.

There will be a General Plan Public Workshop meeting on Tuesday March 29<sup>th</sup> from 6:30 to 8:30 p.m. at the City offices.

Mr. Leetham updated the Council on the Community Development Block Grant (CDBG) program. The City recently attended the mandatory CDBG “How to Apply” workshop sponsored by Davis County in preparation for submitting applications for eligible projects. City staff has a potential list of projects including water lines, acquiring property north of Hatch Park (blighted condition portion of CDBG) and also determining whether we can use CDBG funds for relocation of the Springhill slide area residents. A public hearing as well as a final list for Council consideration will be presented at the March 15 meeting. He added that the City will need to perform a low to moderate income survey as part of the process.

Mr. Leetham recently attended training on the EDC Utah Sure Sites program. The City currently has six (6) registered Sure Sites, and he believes that there are numerous other eligible properties

for that data base and will be working with property owners, or their representatives, to register additional properties.

## 2. SOUTH DAVIS METRO FIRE AGENCY REPORT – CHIEF JIM RAMPTON

Chief Rampton, of the South Davis Metro Fire Agency, presented a 2010 briefing for the Council. The Colonial Lumber fire in Centerville was a big event requiring resources from neighboring agencies, as was an arson fire on David Way. The agency handled numerous emergency medical calls, automobile accidents, etc. Chief Rampton showed the agency's call volume and the types of calls.

Mayor Arave asked about working fire hydrants as he had heard that there was a problem. Chief Rampton said that one hydrant was difficult to open on David Way during that fire, but it did not affect the ability to contain it.

Chief Rampton then showed pictures of the agency's stations and vehicles. He outlined a list of their accountability to the communities they service, including fire safety open houses, city celebrations and events, CERT programs and drills, CPR, first aid, disaster planning, coordination with development, and business inspections.

The agency has 95 employees, including 60 career and 35 part-time. There are 19 personnel on duty each day. They maintain over 35 vehicles in their fleet, striving to get the most mileage from each one. Their buildings are in fairly good shape as four of the five stations are less than nine years old. Station 83, however, is nearly 25 years old and was not built for four personnel.

Chief Rampton then said they have automatic aid agreements with all of Davis County and mutual aid agreements with the greater Salt Lake Valley. They have implemented a county wide investigation agreement as well as a State Lands MOU (Memorandum of Understanding). They are working on agreements for Haz-Mat and a technical rescue agreement with Layton Fire Department. They also have a refinery mutual aid agreement, and Mayor Arave asked Barry Edwards to check into the Chevron refinery and the tax allocation of property tax.

The agency has a competitive compensation plan and has recently implemented a health and wellness plan. Dr. Jack has been contracted to evaluate and counsel all operations personnel.

Barry Edwards stated that Chief Rampton will make periodic reports to the Council.

Council Member Jacobson stated that the Youth City Council is in need of a fire truck for their Easter Egg Dash on April 23<sup>rd</sup> at 10:00 a.m.

## 3. CITY ENGINEER – PAUL OTTOSON

Paul Ottoson reported that the bid opening for demolition of the old building will be March 29, 2011. Demolition will require temporarily supporting the east wall, and bringing in quite a bit of fill. He added that they have a lead on acquiring some free dirt.

Mr. Ottoson addressed the surplus property agenda item for the regular session. There were two parcels that Sky Properties owned and deeded to the City (south side of Eaglewood Drive between 675 East and 725 East). The City Parks Department has maintained this property for approximately 18 years, and it serves no real public use. The homeowner, Mr. Heaps at 357 North 725 East, has agreed to take the property and maintain it, allowing the City a public utility easement for utilities located there. Dave Church said the City would need to hold a public hearing if the parcel is deemed “significant.” Mr. Church agreed to determine if a hearing is required.

4. ADJOURN

Mayor Arave adjourned the meeting at 7:04 p.m. to begin the regular session.

NORTH SALT LAKE CITY  
CITY COUNCIL MEETING – REGULAR SESSION  
MARCH 1, 2011

Mayor Arave called the meeting to order at 7:12 p.m. He then offered the invocation, and Kiegan Wies, BSA Troop 220, led those present in the Pledge of Allegiance.

PRESENT: Mayor Len Arave  
Council Member Brian Horrocks  
Council Member Conrad Jacobson  
Council Member Matt Jensen  
Council Member Stan Porter

EXCUSED: Council Member Stewart Harman

STAFF PRESENT: Barry Edwards, City Manager; Brian Passey, Assistant City Manager and Finance Director; Ken Leetham, Economic Development Director; Paul Ottoson, City Engineer; Dave Church, City Attorney; LaRae Dillingham, City Recorder; Linda Horrocks, Minutes Secretary.

OTHERS PRESENT: Marty Peterson, Emergency Preparedness Manager; Troy and Kiegan Wies, BSA Troop 220; Andrew Merryweather, Regan Mott, Mary Newman, Jasmine Holgate, Allen Tidwell, Ken and Colleen Clifford, Pam Hines and Marion Heaps, residents.

1. CITIZEN COMMENTS

There were no citizen comments.

2. CONSIDERATION OF ORDINANCE NO. 2011-4 AMENDING THE NORTH SALT LAKE CITY ZONE DISTRICT MAP BY CHANGING THE ZONING OF APPROXIMATELY 0.28 ACRES OF LAND LOCATED GENERALLY AT 145 EAST CENTER STREET FROM RESIDENTIAL DISTRICT (R1-12) TO HIGHWAY COMMERCIAL DISTRICT (C-H) – BETTY H. WASHBURN, APPLICANT

Ken Leetham reported that the Planning Commission has recommended approval to the Council. Much of the surrounding property has already been zoned commercial, including the property immediately west of this property at 135 East Center.

Council Member Horrocks asked if this property could still be used residentially, if desired, once the zone is changed. Mr. Leetham stated that it could still be used for either use.

Mayor Arave stated that there would be an island with different zoning, which is discouraged by best plan practices. He asked Mr. Leetham to speak with the owner of the single home that is still zoned residential.

**Council Member Jacobson moved to approve Ordinance No. 2011-4 amending the North Salt Lake City Zone District Map by changing the zoning of approximately 0.28 acres of land located generally at 145 East Center Street from residential district (R1-12) to highway commercial district (C-H). Council Member Jensen seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter and Jacobson. Council Member Harman was excused.**

3. CONSIDERATION OF RESOLUTION NO. 2011-1R SUPPORTING A GRANT APPLICATION FOR FEMA PRE-MITIGATION DISASTER FUNDS IN THE SPRINGHILL SLIDE AREA

Barry Edwards stated that staff has been speaking with the Division of Homeland Security and Congressman Rob Bishop's office who have agreed to pay for a cost/benefit analysis to seek FEMA grant funding for the Springhill slide area. They would, however, like the City, community, and banks etc. to participate to the full extent possible and encouraged the City to use Parks Department funds, since the property would become open space.

Mr. Edwards stated that this is about the only source of funds available to help these people. There is a 25% matching fund requirement that can be raised from the City's general fund, the El Nino Foundation, the Parks Department, etc. If the City can get a grant and raise awareness, this will also help raise funds. Geological experts predict the slide will move 12 inches in 2011, and may accelerate. Mayor Arave spoke with Kevin Eubank of the El Nino Foundation who told him that funds are limited, but if the City had an active plan, that would help his fundraising efforts. The Council agreed that the City should do everything possible to assist in the situation and seek all possible grants.

**Council Member Jacobson moved to approve Resolution No. 2011-1R supporting a grant application for FEMA pre-mitigation disaster funds in the Springhill slide area. Council Member Horrocks seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter and Jacobson. Council Member Harman was excused.**

4. APPOINTMENT OF JASMINE HOLGATE TO THE PARKS AND TRAILS ADVISORY BOARD

Mayor Arave invited Jasmine Holgate to introduce herself. She is a mother of two young children living in Foxboro and enjoys running and visiting the parks.

**Council Member Porter moved to approve the Mayor's appointment of Jasmine Holgate to the Parks and Trails Advisory Board. Council Member Jacobson seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter and Jacobson. Council Member Harman was excused.**

5. PUBLIC HEARING TO REOPEN THE 2010-2011 FISCAL YEAR BUDGET AND TAKE PUBLIC COMMENT AND QUESTIONS

Brian Passey addressed the Council and provided information applicable to this first amendment of the FY2010-2011 budget. Amendments may be made until June 30, 2011.

Mayor Arave opened the public hearing at 7:44 p.m. There were no comments, and he closed the public hearing at 7:45.

6. CONSIDERATION AND POSSIBLE APPROVAL OF RESOLUTION NO. 2011-2R ADOPTING THE AMENDED FISCAL YEAR 2010-11 GENERAL FUND, SPECIAL REVENUE FUNDS, REDEVELOPMENT AGENCY, DEBT SERVICE FUND, CAPITAL PROJECTS FUND, AND ENTERPRISE FUNDS BUDGETS

Mr. Passey stated that these amendments have been reviewed and approved by all department heads. One reason for this amendment is to refine revenue and expenditure estimates based on actual results for the past eight fiscal months.

**Council Member Jensen moved to approve Resolution No. 2011-2R adopting the amended fiscal year 2010-11 general fund, special revenue funds, redevelopment agency, debt service fund, capital projects fund, and enterprise funds budgets. Council Member Porter seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter and Jacobson. Council Member Harman was excused.**

7. CONSIDERATION AND POSSIBLE APPROVAL OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE UTAH DEPARTMENT OF TRANSPORTATION AND CENTERVILLE CITY, FARMINGTON CITY, DAVIS COUNTY, NORTH SALT LAKE CITY, AND WOODS CROSS CITY PROVIDING FOR MAINTENANCE OF THE LEGACY PARKWAY TRAIL SYSTEM

Barry Edwards stated that the agreement the Council received is not finalized; however, the concept will not change. The cities are being asked to maintain the Legacy Parkway Trail.

Council Member Jacobson stated that UDOT originally reported to the cities that they were providing a parkway for the area with the trail as an added amenity. However, they did not say one word about the trail becoming the cities' responsibility to maintain.

Barry Edwards' main concern is that expectations were not managed very well. The challenges will arise when the asphalt breaks and requires resurfacing, and the sprinkling system (that is not City defined) stops working. There are already drainage problems that need to be addressed. The trail is a regional amenity, and the maintenance of such a large piece of infrastructure should not fall to four or five relatively small cities.

Mayor Arave asked what would happen if the City did not sign the agreement and just maintained its portion anyway. There are no benefits provided by UDOT in the agreement. If there is an agreement, it could be between the cities. UDOT is just absolving itself of all responsibility.

Council Member Jensen suggested placing vending machines along the trail to cover maintenance costs. Council Member Jacobson added that funds could also be used for graffiti removal on the Center Street overpass.

Dave Church stated that the Legacy Parkway Trail is a county-wide regional project and should be maintained at the county level. Council Member Porter added that the County finished the trail from our City boundaries into Salt Lake City. There is also potential liability for the cities. The Council felt strongly about maintaining the trail, but not signing the agreement with UDOT.

No action was taken, as there was no motion made.

8. CONSIDERATION TO DECLARE THE PROPERTY LOCATED AT 700 EAST EAGLEWOOD DRIVE AS SURPLUS

Paul Ottoson stated that the City has a parcel of property on Eaglewood Drive that it has maintained since the early 90s. The City would like to declare it as surplus, and the adjoining neighbor, Mr. Heaps, has agreed to maintain it.

Dave Church reviewed the definition of significant property and stated that City code defines significant as a “parcel of one acre or more, or a parcel having a current value of more than \$250,000.” Since this parcel does not fit this description, it could be defined as insignificant. Therefore, the City would not need to hold a public hearing to dispose of the property.

Mayor Arave stated that rather than just a metes and bounds description, it should be merged into one lot, not as a separate parcel.

**Council Member Jacobson moved to declare the property located at 700 East Eaglewood Drive as surplus. Council Member Porter seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter and Jacobson. Council Member Harman was excused.**

9. DISCUSSION OF A POSSIBLE POLICE CONSOLIDATION

Barry Edwards stated that both the NSL Police Department and City staff are in favor of moving forward with a consolidation of the North Salt Lake and Woods Cross Police Departments.

Council Member Horrocks asked about the condition of the public safety vehicles of both cities. Barry Edwards said Woods Cross will be buying the next set of vehicles as theirs are older, but original vehicles would be owned by the original cities. The new cars would be owned by the agency. Assets purchased after the agreement will be allocated to the City equal to how much they contribute. The new entity would have to budget for its own insurance package.

Council Member Jacobson asked about resources used in personnel in Woods Cross. Barry Edwards stated that it was important to Woods Cross that they have a police presence in their City Hall. This portion of the agreement needs to be clarified.

The Council was still in favor of the consolidation, as many of their concerns were addressed by the summary. Council Member Jensen still expressed some concerns, such as an equitable funding formula.

Woods Cross is a fairly small city and would reap many benefits from the consolidation, and for NSL, there will be better coverage in Foxboro. Barry Edwards stated that there would be a critical mass large enough to attract and maintain good officers. Prior to this, turnover was heavy as officers would move for the same or less pay if they perceived greater opportunities elsewhere. Another advantage is having more officers on duty at any given time.

Council Member Porter added that having adequate supervisory personnel available is a big benefit.

The Council asked Barry Edwards how the Highland/Alpine combined police departments were organized. Dave Church stated that he wrote the agreement between Highland and Alpine and mentioned some of the details. The combined department ran fairly successfully from 1996 until currently.

The court issue is a concern with combining departments. Woods Cross and NSL both have courts, so that does create some confusion when officers write tickets, etc. Council Member Horrocks asked about differing laws within the two cities. Barry Edwards responded that coordination would be needed, but the police officers are smart enough to figure out those differences.

#### 10. APPROVE MINUTES

The January 25, 2011 minutes from the combined meeting between North Salt Lake City, Woods Cross City Council and West Bountiful were reviewed and amended. **Council Member Porter moved to approve the January 25, 2011 minutes as amended. Council Member Jensen seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter and Jacobson. Council Member Harman was excused.**

The February 15, 2011 work session and regular session minutes were reviewed and amended. **Council Member Horrocks moved to approve the February 15, 2011 work session and regular session City Council minutes as amended. Council Member Jensen seconded the motion. The motion was approved by Council Members Jensen, Horrocks, Porter and Jacobson. Council Member Harman was excused.**

#### 11. CITY MANAGER

Barry Edwards reported that the City will be having a surplus property sale for the remaining items in the old building. Items can be viewed from March 28<sup>th</sup> until March 31<sup>st</sup> followed by a bid submittal process. Items remaining after that date will be disposed.

Barry Edwards reported that there are several other projects on which staff is continuing to work. He brought up that they have opened the west portion of the Foxboro North Regional Park to the

public. With that decision, the City will execute a change order from sod to drilling the grass seed to save money. Sod will be brought in for smaller portions of the park.

## 12. CITY ATTORNEY

Dave Church provided an update on the Tran home situation and the failed retaining walls. Mr. Church has been in contact with Fred Law, the agent marketing the home, who indicated that the bank is offering it at a fairly discounted price. Mr. Law has asked the City to tell him what would be required by the new homeowners upon purchasing the home.

A potential buyer of the Tran home contacted the City Engineer, Paul Ottoson, today. Mr. Ottoson told him that there were significant things that needed to be done before the home could be occupied. Mayor Arave asked Mr. Ottoson and Jerry Thompson, the City Building Official, to put the Tran home engineering and requirements in writing for potential purchasers.

Dave Church said he was contacted by the appraiser for the Mendezes, who own the home just below the Tran home. Mr. Church stated that the City may anticipate hearing from them; however, the damage is not the City's responsibility, but the landowner above who is responsible.

The depositions for the Woodside Homes lawsuit have begun for the City employees, including Blake Jemison, Ali Avery, Brian Passey, Jerry Thompson, etc.

Mr. Church reported that the Board of Adjustment will be meeting to hear the Lakeview Rock Products' appeal regarding their limited access resulting from the Eaglewood Village plan.

## 13. MAYOR'S REPORT

Mayor Arave reported that the "Islanders against Tobacco" would like the City to officially oppose tobacco and any candy resembling tobacco. He stated that he agrees with this; however, he did not believe an official proclamation needed to be made.

The Mayor received an email from Mayor Kent Parry (assistant coach for the Woods Cross High School boys lacrosse team) wanting to use the lacrosse field in Foxboro North Park for their home games. In return, the team would be responsible for cleaning up trash in the park for the entire year.

Barry Edwards said the City would need to schedule the use of parks, which is usually done on a first come, first served basis. Mayor Arave asked Mr. Edwards to work out a parks reservation policy wherein residents have first priority. It was noted that there will be three soccer/lacrosse fields at the Foxboro Regional Park.

## 14. COUNCIL COMMITTEE REPORTS

Council Member Jacobson reported that the Youth Council will not be attending the Youth City Council Leadership Institute in March. Due to a miscommunication, the application was not

submitted in time. The Youth City Council will be hosting the annual Easter Egg Hunt at Hatch Park April 23, 2011. Council Member Jacobson asked City staff to please ensure there are no sporting events scheduled for that morning, that the sprinklers are turned off, and the bathrooms open.

Council Member Porter set up an appointment with Kern River's Doug Gibbons. Kern River has contracted for the re-vegetation of the Wild Rose Trail, and Mr. Gibbons wants to meet and discuss City expectations.

Eric McCulley from the Legacy Nature Preserve contacted Council Member Porter. Although Mr. McCulley schedules one big volunteer day per year, he receives many calls from volunteers, or court appointees, throughout the year and has asked if the City has projects to utilize these volunteers. Dave Church stated that these workers need supervision.

Barry Edwards said community service can work in the right circumstances, but if one person is supervising, and one is working off service hours, it can end up costing more to manage the workers. The City can, however, utilize organized, supervised groups.

Council Member Horrocks mentioned the ULCT mid-year convention in St. George and asked if LaRae Dillingham could register those attending and make hotel reservations for this conference.

Council Member Jensen reported that Flying J has agreed to fund \$5,000 toward the NSL Live calendar of events. Chevron also has said they want to be a sponsor but were not sure of an amount. A web site is in process for the Three Kings Bicycle Ride, and the next NSL Live meeting is March 10<sup>th</sup> at 7:00 p.m.

Council Member Jensen stated that there may be many people running for available City Council positions. The City owes it to whoever is running, before the primary, to have information distributed, and "meet the candidates" event(s), etc. It was noted that cities can sponsor the "meet the candidates" night, not just private groups.

15. ADJOURN

Mayor Arave adjourned the meeting 9:55 p.m.

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Mayor

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Secretary